

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI  
September 29, 2009

The City Council convened in Special Session on Tuesday, September 29, 2009, at 6:00 P.M. in Conference Room A on the fourth floor of City Hall, 200 North Second Street, with President of the Council Larry Muench, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Jerry Reese, Ron Stivison, and Richard Veit. Absent: Dave Beckering and Michael Weller. Assistant City Clerk, Sharon L. Brader, was present and performed the duties of that office.

File #47000

CLOSED SESSION AND RECONVENE IN OPEN SESSION

A motion was made by MICHAEL KLINGHAMMER to recess the Special Council Meeting into Closed Session relative to legal actions, causes of action, or litigation (RSMo. 610.021.1), leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2), and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12); at 6:02 p.m. LAURIE FELDMAN seconded the motion. A roll call vote was taken, with the following results: "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit. "Nay": None. Absent: Weller and Beckering. Motion passed. The City Council reconvened in Open Session at 7:30 p.m. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Larry Muench, presiding, and the Honorable Mayor Patricia M. York, and Members of the City Council present as follows: Bob Kneemiller, Jerry Reese, Ron Stivison, Richard Veit, Erv Ermeling, and Laurie Feldman. Absent: Michael Weller, Dave Beckering, and Michael Klinghammer.

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by RICHARD VEIT to excuse the absences of Councilmembers Michael Weller, Dave Beckering and Michael Klinghammer. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

**Tom Besselman**, 550 Jackson, St. Charles spoke relative to Council Bills 10031 and 10029.

RESOLUTION

A Resolution Declaring Certain Items of Personal Property of the City of St. Charles to be Surplus Property and Authorizing the Sale thereof (*Sponsor: Larry Muench*)

**Passed** "Aye": Muench, Reese, Stivison, Veit, Ermeling, Feldman, and Kneemiller

"Nay": None

Absent: Weller, Beckering, and Klinghammer

**Approved** by the Honorable Mayor on October 2, 2009, and is known as **Resolution R09-23**

BILLS FOR FINAL PASSAGE

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**Bill 10016 (Substitute Bill No. 1)**

An Ordinance Amending Chapter 154 of the Code of Ordinances by Deleting Section 154.055 and Inserting a New Section 154.055 Pertaining to Improvements Installed and Guaranteed (*Sponsor: Erv Ermeling*)

**Passed**        "Aye": Ermeling, Feldman, Kneemiller, Muench, Reese, Stivison, and Veit  
                  "Nay": None  
                  Absent: Weller, Beckering, and Klinghammer

**Approved** by the Honorable Mayor on October 2, 2009, and is known as **Ordinance 09-179**

**Bill 10021 (Amended)**

An Ordinance Approving an Administrative Regulation Relating to Reimbursement for Footwear – Safety Sensitive Positions (*Sponsor: Erv Ermeling*)

Councilmember BOB KNEEMILLER made a motion to amend Council Bill 10021 with the Proposed Substitute Bill #1. RON STIVISION seconded the motion. All voted in favor, motion passed.

**Bill 10022**

An Ordinance Authorizing First Amendment to License Agreement Dated July 11, 2000 with New Cingular Wireless PCS, LLC (Formerly AT&T Wireless Services, Inc., d/b/a AT&T Wireless Services) for the Operation of Telecommunication Equipment in Wapelhorst Park Located at 1879 Muegge Road (*Sponsors: Laurie Feldman and Michael Weller*)

**Passed**        "Aye": Ermeling, Feldman, Kneemiller, Muench, Reese, Stivison, and Veit  
                  "Nay": None  
                  Absent: Weller, Beckering, and Klinghammer

**Approved** by the Honorable Mayor on October 7, 2009, and is known as **Ordinance 09-184**

**Bill 10023**

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Ridgeview and Hawthorne Sidewalk Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsor: Dave Beckering*)

**Passed**        "Aye": Ermeling, Feldman, Kneemiller, Muench, Reese, Stivison, and Veit  
                  "Nay": None  
                  Absent: Weller, Beckering, and Klinghammer

**Approved** by the Honorable Mayor on October 2, 2009, and is known as **Ordinance 09-180**

**Bill 10025**

An Ordinance Authorizing an Agreement with the U.S. Department of Justice for Receipt of the 2009 Recovery Act Justice Assistance Grant (JAG) Funds (*Sponsor: Larry Muench*)

**Passed**        "Aye": Ermeling, Feldman, Kneemiller, Muench, Reese, Stivison, and Veit  
                  "Nay": None

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Absent: Weller, Beckering, and Klinghammer

**Approved** by the Honorable Mayor on October 2, 2009, and is known as **Ordinance 09-181**

**Bill 10026**

An Ordinance Amending Schedule II, Subsection (A) of Chapter 78 of the Code of Ordinances by Establishing Parking Restrictions on Both Sides of the Alley Which is Between and Parallel to First Capitol Drive and Jackson Street from the Western Curb Line of Seventh Street West 160 Feet (*Sponsors: Erv Ermeling, Larry Muench, Michael Klinghammer, Jerry Reese, Ron Stivison*)

**Passed** "Aye": Ermeling, Feldman, Kneemiller, Muench, Reese, Stivison, and Veit  
"Nay": None

Absent: Weller, Beckering, and Klinghammer

**Approved** by the Honorable Mayor on October 2, 2009, and is known as **Ordinance 09-182**

**Bill 10027**

An Ordinance Approving the Record Plat for Resubdivision of Adjusted Outlot A of Hill Pointe Villas PD-R, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

**Passed** "Aye": Ermeling, Feldman, Kneemiller, Muench, Reese, Stivison, and Veit  
"Nay": None

Absent: Weller, Beckering, and Klinghammer

**Approved** by the Honorable Mayor on October 2, 2009, and is known as **Ordinance 09-183**

**Bill 10028**

An Ordinance Authorizing an Agreement with the State of Missouri, Division of Family Services, for Receipt and Disbursement of Emergency Shelter Grant Funds on Behalf of the Women's Center of Bridgeway Counseling for Fiscal Year April 1, 2009 Through March 31, 2010 (*Sponsors: Jerry Reese and Laurie Feldman*)

**Passed** "Aye": Ermeling, Feldman, Kneemiller, Muench, Reese, Stivison, and Veit  
"Nay": None

Absent: Weller, Beckering, and Klinghammer

**Approved** by the Honorable Mayor on September 29, 2009, and is known as **Ordinance 09-178**

**Bill 10029 (Held)**

An Ordinance Authorizing the City of St. Charles, Missouri, to Issue its Taxable Industrial Revenue Bonds (MiTek Industries, Inc. Project), Series 2009, in a Principal Amount Not to Exceed \$7,126,750 for the Purpose of Providing Funds to Pay the Costs of Purchasing, Constructing, Installing and Equipping a Facility for an Industrial Development Project in the City; Approving a Plan for the Project; and Authorizing the Mayor to Enter into Certain Agreements and Take Certain Other Actions in Connection with the Issuance of the Bonds. (*Sponsor: Michael Klinghammer*)

A motion was made by BOB KNEEMILLER to hold Council Bill 10029. JERRY REESE seconded the motion. All voted in favor, motion passed.

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**BILLS FOR INTRODUCTION**

**Bill 10031 (Withdrawn)**

An Ordinance Authorizing a Development NID Interim Finance Agreement with St. Charles - Noah Development LLC; Authorizing and Directing the Execution and Delivery Thereof; and Providing Further Authority in Connection Therewith (*Sponsors: Bob Kneemiller and Laurie Feldman*)

Council Bill 10031 was withdrawn by sponsors Bob Kneemiller and Laurie Feldman prior to being introduced.

File # 47226

The following council Bill was introduced.

**Bill 10032**

An Ordinance Authorizing a Police Services Agreement with the Saint Charles R-VI School District for Two (2) School Resource Officers for the Period of July 1, 2009 Through June 30, 2012 (*Sponsor Jerry Reese*)

**CONSENT AGENDA**

A motion was made by BOB KNEEMILLER to receive and approve the Consent Agenda. JERRY REESE seconded the motion. A roll call vote was taken, with the following results: "Aye": Stivison, Veit, Ermeling, Feldman, Kneemiller, Muench, and Reese. "Nay": None. Absent: Beckering, Klinghammer, and Weller. Motion passed.

A. Approval of Contracts and Easements from \$30,001 - \$99,999

1. Contract with Franco Fire Equipment LLC for the Purchase of Five Scott Thermal Imaging Cameras for the Fire Department in the Amount of \$44,893.00

File #47224

2. Contract with Dave Sinclair Ford for Purchase of One Ford F-350 One-Ton Crew Cab 4-Wheel Drive Chassis for the Fire Department in the Amount of \$35,560.00

File #47225

B. Miscellaneous

1. Approval of Arts and Culture Commission Expenditures

File #47033

**REPORT OF THE MAYOR**

**Appointments to Boards/Commissions**

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A motion was made by BOB KNEEMILLER to approve the following appointment of the City Physician as presented by the Honorable Mayor Patricia M. York:

**City Physician: Appointment of Anne-Marie Puricelli, M.D. to fill the unexpired term of Brian Kerbyson, D.O. ending in July 2011.**

JERRY REESE seconded the motion. A roll call vote was taken, with the following results: "Aye": Feldman, Kneemiller, Muench, Reese, Stivison, Veit, and Ermeling. "Nay": None. Absent: Beckering, Klinghammer, and Weller. Motion passed.  
File #47006

**Written and/or Verbal Messages from the Mayor**

*Missouri Municipal League* - The Honorable Mayor Patricia M. York stated that next week there would be no City Council Meeting as most of the Councilmembers would be at the conference. Next year St. Charles will be hosting the conference.

*Bicentennial Activities* - The Honorable Mayor Patricia M. York stated that Saturday, October 10 is the parade which will end with a picnic in Blanchette Park. Friday, October 9, there will be a Country Western hoedown; Sunday, October 11 there will be activities in Wapelhorst Park; Monday, October 12, bicentennial flags will be brought to the schools and on Tuesday, October 13 the City Council Meeting with a Bicentennial theme.

**ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS**

**Written and/or Verbal Messages from the Councilmembers**

*Planting at the Vogt Park* - Vice President of the Council Laurie Feldman stated a planting event will be hosted by the Parks Department on October 3, 2009, from 9 a.m. to noon. There are about 100 people expected.

*St. Charles Night Out* - Councilmembers Bob Kneemiller and Ron Stivison congratulated the Police Department for a great job in coordinating the St. Charles Night Out activities throughout the City. Councilmember Richard Veit stated that in his ward there were live bands at two of his parties. The time of the year is very good.

*Sister Cities Dinner Dance* - Councilmember Jerry Reese announced that the Sister Cities Dinner is scheduled for Friday, October 2, 2009 and that tickets are still available. Contact Jerry Reese if you are interested or you may pick up tickets at the door. There will be a celebrity pie auction with several of the Councilmembers making pies.

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The Special Council Meeting was adjourned at 7:50 p.m.

October 27, 2009

Date Approved

Margaret M. Coy

City Clerk

Larry Muench

Larry Muench, Presiding Officer